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Attorneys for Defendant
HERBERTH NOEL AYALA

United States District Court
Northern District of California

UNITED STATES OF AMERICA,)	CR No. 3:13-CR-00030-RS-1
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	CONTINUING SENTENCING HEARING AS
v.)	TO DEFENDANT HERBERTH NOEL AYALA
)	
HERBERTH NOEL AYALA,)	
)	
Defendant.)	
_____)	

Defendant HERBERTH NOEL AYALA, by and through his counsel undersigned, the United States of America, through Assistant United States Attorney LAURA ELIZABETH VARTAIN HORN, and the United States Probation Office, through U.S. Probation Officer INSA AMINA BEL'OCHI, hereby stipulate and respectfully request that the Court vacate the Sentencing Hearing in the above-captioned case, currently set for Tuesday, February 4, 2014, at 02:30 p.m., and reset it for Tuesday, March 11, 2014, at 02:30 p.m.

This is the parties' third request to continue the Sentencing Hearing as to Defendant Ayala (Dkt. 24, 26). The parties last appeared before the Court on July 9, 2013, when the Change of Plea was entered as to defendant Ayala (Dkt. No. 22).

1 U.S. Probation Officer Insa Amina Bel'Ochi has concluded the
2 probation interview, but requires additional time to complete the
3 Proposed Presentence Investigation Report for disclosure to the
4 parties.

5 Accordingly, the parties stipulate and respectfully request that
6 the Court continue the Sentencing Hearing on this matter to allow
7 U.S. Probation Officer Insa Amina Bel'Ochi additional time to
8 complete the Proposed Presentence Investigation Report for disclosure
9 to the parties pursuant to Fed. R. Crim. P. 32(b)(6), and to allow
10 the parties reasonable time to thoroughly review the proposed report
11 and submit their written responses pursuant to Crim. L.R. 32-4(b).

12 For the above-stated reasons, the Defendant, the government, and
13 the Office of Probation respectfully request that the Court vacate
14 the Sentencing Hearing currently set for Tuesday, February 4, 2014
15 and reset it for Tuesday, March 11, 2014, at 2:30 p.m.

16
17 **IT IS SO STIPULATED.**

18
19 Respectfully submitted,

20
21 DATED: January 28, 2014

/s/ ETP
EMILIO TOMAS PARKER,
Attorney for HERBERTH N. AYALA

22
23 DATED: January 28, 2014

/s/ ACB
ANNE CATHERINE BELES,
Attorney for HERBERTH N. AYALA

24
25
26 DATED: January 28, 2014

/s/ IAB
INSA AMINA BEL'OCHI,
U.S. Probation Officer

1 DATED: January 28, 2014

/s/ LEVH
LAURA ELIZABETH VARTAIN HORN,
Assistant U.S. Attorney

MELINDA HAAG
United States Attorney

8 IT IS SO ORDERED.

10 DATED: 1/29/14


HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE